

Exhibit D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ELITE CASINO EVENTS, LLC,)	
)	
Plaintiff,)	Civil Action No. 2:23-cv-01281-LPL
)	
v.)	
)	
ELITE CASINO EVENTS, LLC,)	
)	
Defendant.)	

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)	
)	SS:
COUNTY OF ALLEGHENY)	

Before me, the undersigned, deposes and states as follows:

1. I am Jaden Rankin-Wahlers, Esq., and I have assisted David G. Oberdick as counsel for Plaintiff, Elite Casino Events LLC.

2. I am over 18 years of age and fully competent and capable of making this Affidavit.

3. I am authorized to provide this Affidavit in support of the Motion for Alternative Service of Process.

4. All of the facts set forth herein as to efforts of service coordinated directly by Meyer, Unkovic & Scott LLP, as counsel for Plaintiff, are known to me personally to be true, and, if called upon to do so, I could and would competently testify thereto under oath.

5. On or about July 26, 2023, service was attempted, but was unsuccessful, by certified mail to (i) Defendant's registered agent in Texas,¹ and (ii) 1001 Altamesa Blvd., Fort Worth, TX 76134, the latter of which was the address to which two prior demand letters had been sent to the Defendant, and which were later responded to by email from Defendant's counsel, Jason Ciarochi.

6. Plaintiff thereafter attempted to serve the Complaint by certified mail to three other business addresses listed on Defendant's website:

(i) 100 Crescent Court, Suite 700, Dallas, TX 75201, which is listed as Defendant's Corporate Headquarters on Defendant's website under the Contact Us page.

¹ Elite Casino Events LLC is a registered business with the Texas Comptroller of Public Accounts with a Registered Office Street Address of 2205 North Henderson Ave, Dalla TX 75206.

(ii) 100 Congress Avenue, Suite 2000, Austin, TX 78701, which is listed as Defendant's Austin Location on Defendant's website under the Contact Us page.


(iii) 700 Milam Street, Suite 1300, Houston, TX 77002, which is listed as Defendant's Houston Location on Defendant's website under the Contact Us page.

7. Despite the attempts at service outlined in this Affidavit and the Affidavit of Attempts by David Barberena, service has not been successful.

8. Pursuant to Federal Rules Civil Procedure 4(e)(1) and 4(h) Plaintiff seek to effect service upon Defendant via (1) sending to Defendant's business email (Info@EliteCasinoEvent.com), (2) sending by regular mail to the Altamesa Blvd. and North Henderson Avenue addresses identified above, (3) posting at Elaine Davidson's home address at Windmill Hill Lane, and/or (4) in such other manner as this Court deems just and proper.


Jaden Rankin-Wahlers

SWORN TO and subscribed before me
this 29th day of September, 2023.


Notary Public

My Commission Expires:

